Supreme Court, U.S.
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No. 94-830

IN THE
Supreme Court of the United States
OCTOBER TERM, 1994

USX CORPORATION,
Petitioner,
v.
UNITED STATES OF AMERICA,
Respondent.

On Petition for Writ of Certiorari to the United States Court of Appeals for the Eleventh Circuit

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MEMORANDUM FOR RESPONDENTS' THERMON PHILLIPS AND E.B. RICH IN SUPPORT OF THE PETITION

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MEMORANDUM FOR RESPONDENTS' THERMON PHILLIPS AND E.B. RICH IN SUPPORT OF THE PETITION

Thermon Phillips and E.B. Rich are parties to the instant case by reason of their status as individual defendants in the district court and as appellants in the court of appeals. See Petition For Writ of Certiorari p. ii. On the same day as the instant *certiorari* petition was filed, Mr. Phillips and Mr. Rich filed a separate *certiorari* petition seeking review of the decision below. *Thermon Phillips and E.B. Rich v. United States of America, et al.*, Supreme Court No. 94-831 (pending).

As provided for in Rule 12.4, Thermon Phillips and E.B. Rich file this memorandum (a) to state their support of the position of petitioner USX Corporation; and

(b) to urge the Court to grant *certiorari* in both No. 94-830 and No. 94-831 and to consolidate the petitions for the purpose of the proceedings on the merits in this Court.

Respectfully submitted,

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